

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.31900 of 2014

Arising Out of PS.Case No. -271 Year- 2008 Thana -KANTI THARMAL POWER District-
MUZAFFARPUR

- =====
1. Sanjeev Kumar, Son of Krishna Mohan Sah
 2. Krishna Mohan Sah, Son of Late Jegi Sah
 3. Parwati Devi, Wife of Krishna Mohan Sah
- All Resident of Village Sarmasapur, P.S- Kanti, District- Muzaffarpur

.... Petitioner/s

Versus

1. The State of Bihar
2. Sanju Devi, Daughter of Bigan Sah, resident of Harpur Balara, P.S. Maniyari, Distt. Muzaffarpur, at present Wife of Pappu Kumar Resident of Village Saraiyaganj, P.S- Town, Distt- Muzaffarpur

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ganesh Prasad Singh, Adv.
For the State : Mr. Abhay Kr. Roy, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL JUDGMENT
Date: 24-09-2015

Heard learned counsel for the Petitioners and the State.

The Petitioners who are the husband and the in-laws of the Opposite Party No. 2 seek quashing of the order of cognizance dated 10.2.2010 passed by the Sub Divisional Judicial Magistrate (West), Muzaffarpur, in Kanti P.S. Case No. 271 of 2008, corresponding to G.R. No. 1796 of 2008, Trial No. 1431 of 2014 on the ground that now the marriage has been dissolved and the Informant has remarried.

On the submission aforesaid, notices had been issued to the Opposite Party No. 2 but none appears on her behalf.

Having considered the subsequent development in the case, I would be inclined to hold that the pendency of the present Proceeding would be against the interest of the Parties.

Hence, the application stands allowed and the Proceeding including the order of cognizance dated 10.2.2010 passed by the Sub Divisional Judicial Magistrate (West), Muzaffarpur, in Kanti P.S. Case No. 271 of 2008, corresponding to G.R. No. 1796 of 2008, Trial No. 1431 of 2014, is hereby, set aside.

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(Anjana Prakash, J)

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